

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

Forest City Technologies Facilities  
22069 Fairgrounds Rd  
Wellington, OH 44090

**ATTENTION:**

David Piedrahita  
Environmental Manager

**Request to Provide Information Pursuant to the Clean Air Act**

The U.S. Environmental Protection Agency (EPA) is requiring Forest City Technologies (Forest City or you) to submit certain information about its facilities in Wellington, Ohio and Rockford, Illinois. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B and Appendix C specify the information that you must submit. You must send this information to EPA within thirty (30) calendar days after you receive this request.

EPA is issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Forest City owns and operates its facilities in Wellington, Ohio and Rockford, Illinois that operate as emission sources. EPA is requesting this information to determine whether your emission sources are complying with the Ohio State Implementation Plan, the Illinois State Implementation Plan and all the applicable Federally Enforceable State Operating Permits.

Forest City must send all required information to:

Attn: Compliance Tracker, AE-17J  
Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency  
Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

Forest City must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix D, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to EPA. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix D provides additional information regarding the meaning and scope of the term “emissions data.”

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. §§ 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

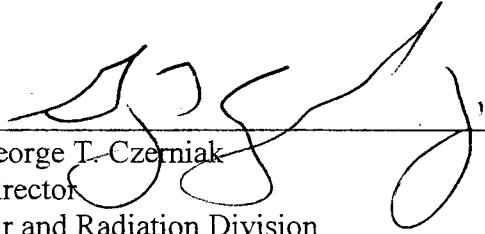
EPA may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject Forest City to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Scott Connolly at (312) 886-1493 and any legal questions about this information request to Leo Chingcuanco at (312) 886-7236 or at [chingcuanco.leonardo@epa.gov](mailto:chingcuanco.leonardo@epa.gov).

Date

3/30/16

  
George T. Czerniak  
Director  
Air and Radiation Division

## **Appendix A**

When providing the information requested in Appendix B and Appendix C, use the following instructions and definitions.

### **Instructions**

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B and Appendix C.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

### **Electronic Submissions**

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for “image over text” to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

#### **Definitions**

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

1. The term “capture system” shall mean the collection of components used to capture gases and fumes released from one or more emissions points and then to convey the captured gas stream to a control device or to the atmosphere. A capture system may include, but is not limited to, the following components or equipment as applicable to a given capture system design: duct intake devices, hoods, enclosures, ductwork, dampers, manifolds, plenums, and fans.
2. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
3. The term “natural draft opening” shall mean any opening in the enclosure that remains open during operation of the facility and that is not connected to a duct in which a fan is installed.

4. The term "Plant 8 facility" shall mean the Forest City Technologies Plant 8 facility located at 22069 Fairgrounds Road, Wellington Ohio.
5. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
6. The term "Rockford Facility" shall mean the Forest City Technologies facility located at 892 Southrock Drive, Rockford, Illinois.
7. The term "solvent based coating" (and any form thereof) shall mean any coating that contains a volatile organic compound content of equal to or greater than 3.0 pounds per gallon.
8. The term "ventilation study" shall mean any report, analysis, or study conducted to evaluate, modify, or improve the capture system, air flow dynamics, or transport of air emissions at the facility.

## Appendix B

### Information You Are Required to Submit to EPA

Forest City must submit the following information for its Plant 8 Facility in Wellington, Ohio, pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), within thirty (30) calendar days of receiving this information request.

1. Provide a copy of all permit applications submitted to Ohio Environmental Protection Agency (OEPA) since January 2006 for the Plant 8 facility. Also provide a copy of the original permit application for the current Permit to Operate for the Facility.
2. Provide copies of all annual emission reports submitted to OEPA from January 1, 2011 to the present, and include:
  - a. a narrative describing the method used for the annual emission calculations for each pollutant, including the basis of any emission factors used; and
  - b. any documents outlining procedures for calculating annual emissions
3. Provide floor plans of the Plant 8 facility that include: layouts of all emission units; door, window and room dimensions; locations and dimensions of all natural draft openings (NDO); and layout of ducts and ventilation systems.
4. Provide images of all NDOs in the production area. Include internal and external views. If the requested NDO images are not possible to obtain, explain why it is not possible.
5. Provide a table of all emissions tests conducted at the facility for any reason, from January 2006 to the present, and provide copies of all emissions test reports. Emission testing includes, but is not limited to, compliance testing, engineering testing, stack testing, capture efficiency testing, and testing for general information. Use the following guidelines for compiling the table and preparing copies of the test reports:
  - a. **Table:** Identify the emissions unit, the control device, the date of the test, the federal or state regulation requiring the test (if applicable), pollutants tested, throughput during test, and the test method(s) used. For each test during which the source was not operating at maximum design capacity, provide an explanation for why production was limited. Indicate whether the report was shared with OEPA.
  - b. **Copies:** Provide full stack test reports, including the summary pages, the section describing the process parameters and production or processing rates at the time of the test, all test runs, and all calculations. A copy of Compliance Stack Emission Test Report dated December 18, 2015 may be omitted.

6. From January 1, 2011 to the present, provide the results of all indoor air quality tests performed at the facility. For each test result, document the location on a diagram of the facility from where the sample was obtained.
7. Provide any air flow and fan power data for each of the hoods or ducts on associated with all linear and dial coaters from January 1, 2011 to the present.
8. Provide dimensions of hoods and ducts including, height of opening, width of opening, diameter of opening and distance from coating location for all linear and dial coaters in operation since January 1, 2011.
9. Provide all documentation associated with calculated or estimated capture efficiency for processes and associated capture and control equipment in use or located at the Facility.
10. Provide all ventilation studies drafted, completed and implemented for the facility since plant operations began, for all coating operations.
11. Provide the following information, in an Excel spreadsheet or compatible format, about each of the solvent based coatings used at Forest City's Plant 8 facility from January 1, 2013 to the present:
  - a. the amount of each coating used per day (in gallons);
  - b. the VOC content of each coating in pounds per gallon (lbs/gal);
  - c. the HAP content of each coating used (lbs/gal); and
  - d. the daily hours of operation of each coating line.
12. Provide documentation of ventilation fan operation during all hours when solvent based coatings are in use from January 1, 2011 to the present.
13. Provide monthly amounts of non-solvent based coatings used at Forest City's Plant 8 facility from January 1, 2011 to the present, and include the VOC and HAP content of each coating.
14. Provide copies of documentation, including circular charts, of continuous monitoring of temperature measurements before and after the catalytic oxidizer catalyst bed during all hours of operation from January 1, 2011 to the present. Include all 3-hour average temperature blocks calculated for compliance purposes.
15. Provide documentation on all calibrations of temperature monitors on the catalytic oxidizer from January 1, 2011 to the present.
16. Provide records of annual inspections on the catalytic oxidizer from January 1, 2011 to the present. Include results of each inspection, repairs and maintenance performed, data and duration of inspection.



17. Provide records of monthly inspection of operation condition and integrity of all ventilation fans, hooding ductwork, and bypass dampers in the capture system. Include any corrective actions taken, from January 1, 2011 to the present.

## Appendix C

### Information You Are Required to Submit to EPA

Forest City must submit the following information for its Rockford Facility located in Rockford, Illinois, pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), within thirty (30) calendar days of receiving this information request.

1. Provide a copy of all permit applications submitted to Illinois Environmental Protection Agency (IEPA) since January 2006 for the Rockford facility. Also provide a copy of the original permit application for the current Operating Permit for the Facility.
2. Provide copies of all annual emission reports submitted to IEPA from January 1, 2011 to the present, and include:
  - a. a narrative describing the method used for the annual emission calculations for each pollutant, including the basis of any emission factors used; and
  - b. any documents outlining procedures for calculating annual emissions
3. Provide floor plans of the Rockford facility that include: layouts of all emission units; door, window and room dimensions; and layout of ducts and ventilation systems.
4. Provide a table of all emissions tests conducted at the facility for any reason, from January 2006 to the present, and provide copies of all emissions test reports. Emission testing includes, but is not limited to, compliance testing, engineering testing, stack testing, capture efficiency testing, and testing for general information. Use the following guidelines for compiling the table and preparing copies of the test reports:
  - a. **Table:** Identify the emissions unit, the control device, the date of the test, the federal or state regulation requiring the test (if applicable), pollutants tested, throughput during test, and the test method(s) used. For each test during which the source was not operating at maximum design capacity, provide an explanation for why production was limited. Indicate whether the report was shared with IEPA.
  - b. **Copies:** Provide full stack test reports, including the summary pages, the section describing the process parameters and production or processing rates at the time of the test, all test runs, and all calculations.
5. From January 1, 2011 to the present, provide the results of all indoor air quality tests performed at the facility. For each test result, document the location on a diagram of the facility from where the sample was obtained.
6. Provide the following information, in an Excel spreadsheet or compatible format, about each of the solvent based coatings used at the Rockford facility from January 1, 2013 to the present:

- a. the amount of each coating used each day (in gallons);
  - b. the VOC content of each coating in pounds per gallon (lbs/gal);
  - c. the HAP content of each coating used (lbs/gal); and
  - d. the daily hours of operation of each coating line.
7. Provide monthly amounts of non-solvent based coatings used at the Rockford facility from January 1, 2011 to the present, and include the VOC and HAP content of each coating.

## **Appendix D**

### **Confidential Business and Personal Privacy Information**

#### **Assertion Requirements**

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

## Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

### **Personal Privacy Information**

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

**CERTIFICATE OF MAILING**

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the  
Clean Air Act by Certified Mail, Return Receipt Requested, to:

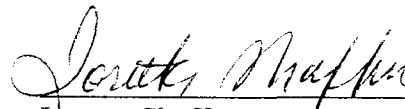
David Piedrahita  
Forest City Technologies  
299 Clay Street  
Wellington, OH 44090

I also certify that I sent a copy of the Request to Provide Information Pursuant to the  
Clean Air Act by First-Class Mail to:

Ed Fasko  
Ohio EPA – Northeastern District Office  
2110 E Aurora Road  
Twinsburg, OH 44087

Eric Jones, Manager  
Bureau of Air, Compliance and Enforcement  
Illinois Environmental Protection Agency  
P.O. Box 19506  
Springfield, IL 62794

On the 31 day of March 2016.



Loretta Shaffer  
Program Technician  
Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 70091480 0000 7673 8095